

LEGISLATIVE BILL 176

Approved by the Governor May 16, 2011

Introduced by Avery, 28.

FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-14,126 and 49-14,140, Reissue Revised Statutes of Nebraska; to provide for payment of hearing costs by violators in certain cases as prescribed; to provide for placement of proceeds; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 49-14,126, Reissue Revised Statutes of Nebraska, is amended to read:

49-14,126 (1) The commission, upon finding that there has been a violation of the Nebraska Political Accountability and Disclosure Act or any rule or regulation promulgated thereunder, may issue an order requiring the violator to do one or more of the following:

(a) Cease and desist violation;
 (b) File any report, statement, or other information as required; ~~or~~
 (c) Pay a civil penalty of not more than two thousand dollars for each violation of the act, rule, or regulation; ~~or~~

(d) Pay the costs of the hearing in a contested case if the violator did not appear at the hearing personally or by counsel.

(2) If the commission finds a violation of the Campaign Finance Limitation Act, the commission shall assess a civil penalty as required under section 32-1604, 32-1606.01, or 32-1612.

Sec. 2. Section 49-14,140, Reissue Revised Statutes of Nebraska, is amended to read:

49-14,140 The Nebraska Accountability and Disclosure Commission Cash Fund is hereby created. The fund shall consist of funds received by the commission pursuant to sections 49-1449.01, 49-1470, 49-1480.01, 49-1482, ~~49-1495,~~ 49-14,123, and 49-14,123.01 and subdivision (1)(d) of section 49-14,126. The fund shall not include late filing fees or civil penalties assessed and collected by the commission. The fund shall be used by the commission in administering the Nebraska Political Accountability and Disclosure Act. ~~except that transfers may be made from the fund to the General Fund at the direction of the Legislature through June 30, 2011.~~ Any money in the Nebraska Accountability and Disclosure Commission Cash Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 3. Original sections 49-14,126 and 49-14,140, Reissue Revised Statutes of Nebraska, are repealed.